IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2643 OF 2005

Indian Labour Organisation — Petitioner
vs.
Mumbai Vegetable Market Unprotected Labour Board & ors. — Respondents

Mr.S.C.Naidu with Mr.T.R.Yadav for the petitioner.

Mr.M.S.Topkar for the respondents 1 to 3.

Mr.S.M.Dixit for the respondent no.4.

CORAM : F.I.REBELLO &
ANOOP V. MOHTA,JJ.

DATED : 25th August, 2006

P.C.

By order dated 10th January, 2005 in Writ Petition No.2555/2004 the parties were referred back to the learned Arbitrator. The learned Arbitrator in the minutes recorded on 21st June, 2005 after noting some aspects in para 3 observed as under:

> "The Vegetable Board will now undertake a fresh survey of the 80 persons claiming registration and complete the process within one month from today."

2. Before this Court in writ petition there was a claim by the respondents that provisional registration given to the present petitioner should be cancelled. Whereas the claim of the petitioner-Organisation was that they should be registered. Subsequent to that if the case of

the respondents in terms of the affidavit dated 17.2.2006 of Shri Vishwas Ramchandra Jadhav, Secretary of the Mumbai Vegetable Market Unprotected Labour Board for Greater Bombay that inspection was carried out, but none of the 80 workers were found eligible.

3. The grievance of the petitioners herein is that they were given no opportunity to produce their material. The affidavit would disclose that the inspection was done of the records of the employers who had given letters in favour of the members of the petitioners-Organisation.

4. Be that as it may, as a last chance we given fresh opportunity to the petitioners to produce whatever material they have to on behalf of the 80 workers. The Chairman of the Board to consider their case considering the material and Chairman to pass appropriate order.

5. With the above observation, petition stands disposed of.

(F.I. REBELLO, J.)

(ANOOP V. MOHTA,J.)